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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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H. Michael Lord

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EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 04/09/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,253

Applicant(s)

LORD, H. MICHAEL

Examiner

Barry W Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 38-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 11-37 and 41-68 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I. in Paper No. 9 is acknowledged. The traversal is on the ground(s) that Groups II to VII (claims 11-37, 41-68) are improper. This is not found persuasive because Groups II to VII are directed toward inventions that are different and distinct from the invention of Group I and require detailed search in other areas other than the area of Group I.

The requirement is still deemed proper and is therefore made FINAL.

2. This application contains claims (claims 11-37, 41-68) drawn to an invention nonelected with traverse in Paper No. 9. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 40 recites the limitation "the order" in claim 40, line 15 page 27. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 and 38-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Adams et al (US 6,631,186 hereinafter Adams).

Regarding claim 1. Adams teaches a method of exchanging data between a call processing system (see SMS 48 figure 1) and an external system (see SCP 23 figure 1) to ensure reconciliation of data stored within each of the systems (col. 2 lines 41-60), the method comprising the steps of:

creating a data message containing updated data within one of the systems (see figure 1 wherein WEB CLIENT 30 selects data to be sent to the Service Management System (see SMS 48 figure 1, col. 5 line 63 – col. 6 line 32, col. 7 lines 65-67, col. 15 line 54 – col. 18 line 30);

storing the data message within the system that created the data message (see figure 1 wherein SMS stores the data message before forwarding to SCP 23 figure 1, col. 5 line 63 – col. 6 line 32, see col. 7 lines 52-56 wherein the data message stored at SCP and at SMS, see SMS stores and forwards data message to SCP col. 7 lines 65-67, col. 15 line 54 – col. 18 line 30);

sending the data message to the other system (see SMS stores and forwards data message to other system (i.e. SCP)---col. 7 lines 65-67);

reading the data message within the other system (col. 5 line 63 – col. 6 line 32, col. 7 line 65-67, col. 15 line 54 – col. 18 line 30);

sending a receipt acknowledge message to the system that sent the data message (see col. 16 line 65 – col. 17 line 23 wherein SMS sends acknowledgement to the subscriber that instructions have been received and implemented); and

modifying data within either one or both of the systems according to the updated data contained within the data message (see figure 1 wherein SMS stores the data message before forwarding to SCP 23 figure 1, col. 5 line 63 –col. 6 line 32, see col. 7 lines 52-56 wherein the data message stored at SCP and at SMS, see SMS stores and forwards data message to SCP col. 7 lines 65-67, col. 15 line 54 – col. 18 line 30).

Regarding claim 2. Adams teaches wherein one of the systems is a Database of Record (see either SCP or SMS figure 1).

Regarding claims 3 and 39. Adams teaches wherein the data message contains data written in a self-describing format (see col. 13 – col. 14 line 5 wherein data messages is standard mark-up language developed by the World Wide Web Consortium (W3C).

Regarding claims 4 and 40. Adams teaches wherein the data message contains data written in XML format (see col. 13 – col. 14 line 5 wherein data messages is standard mark-up language developed by the World Wide Web Consortium (W3C).

Regarding claim 5. Adams teaches wherein the data message contains data relating to a telephone call placed on a telephone in communication with the call processing system (col. 5 line 63 – col. 6 line 2).

Regarding claim 6. Adams teaches wherein the data message contains data relating to an order placed on a telephone in communication with call processing system (see figure 3-8 wherein subscriber selects services such as call forwarding (see figures 3-5), call screen services (figures 6-7) which reads on "order" placed on telephone).

Regarding claim 7. Adams teaches wherein the data message contains data relating to an account associated with a PIN number (col. 15 line 60 – col. 16 line 25, see SMS authenticating (i.e. steps 103 and 104 in figure 2) subscriber 30 figure 2).

Regarding claim 38. Adams teaches a method of exchanging data between a call processing system (see SMS 48 figure 1) and an external system (see SCP 23 figure 1) in connection with maintaining personal identification number (PIN) information associated with a caller to ensure reconciliation of data stored within each of the systems (col. 2 lines 41-60), the method comprising the steps of:

 sending a PIN information message to the call processing system from a persistent store and forward message queue (see figure 1 wherein SMS stores the data message before forwarding to SCP 23 figure 1, col. 5 line 63 –col. 6 line 32, see col. 7 lines 52-56 wherein the data message stored at SCP and at SMS, see SMS stores and forwards data message to SCP col. 7 lines 65-67, col. 15 line 54 – col. 18 line 30);

 modifying a database within the external system according to the PIN information message when the PIN information message is received by the call processing system (see figure 1 wherein SMS stores the data message before forwarding to SCP 23 figure 1, col. 5 line 63 –col. 6 line 32, see col. 7 lines 52-56 wherein the data message stored

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at SCP and at SMS, see SMS stores and forwards data message to SCP col. 7 lines 65-67, col. 15 line 54 – col. 18 line 30); and

storing the PIN information message within either one or both of the systems (see col. 7 lines 52-56 wherein the data message stored at SCP and at SMS, col. 15 line 54 – col. 18 line 30).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al (US 6,631,186 hereinafter Adams) in view of Rosenhaft et al (Pub. No.: US 2002/0059148 hereinafter Rosenhaft).

Regarding claim 8. Adams fails to teach wherein the external system is a commissary system.

Rosenhaft teaches a system for providing a wide range of telecommunications initiated data fulfillment services in which "*" trigger code is inputted into an originating telecommunications device and triggers the treatment of the input sequence as a multi-function code service request rather than a dialed directory number (abstract). In other words, customer enters input string (22 figure 1) into telecommunication device (24 figure 1). The input string is received at a trigger-enabled telecommunications switch

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(see SSP 26 figure 1) wherein the SSP is configured to detect and recognize the “*#” (star, pound) multi-function code as a trigger event. In response to detecting the star, pound trigger event, the SSP holds the call and queries SCP translation table (see 72 figure 7) for instruction set to implement. Rosenhaft discloses instruction set “*#1” used for mobile vending instruction set (see paragraph 0037). Next, SSP delivers the data message to data fulfillment platform (30 figure 1) wherein the fulfillment platform receives the data message (28 figure 1) and identifies the product code to complete the remote vending purchase (see paragraphs 0037 to 0047, 0059 to 0065).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the SCP as taught by Adams to include “*#” (star, pound) trigger code as taught by Rosenhaft for the benefit of allowing customer to enter “*#” at telephone device to make remote vending purchase from vending machine.

Regarding claim 10. Adams fails to teach sending an initial request for data to the other system; and sending a response to the initial request for data to the system sending the initial request prior to the creation of the data message.

Rosenhaft teaches a system for providing a wide range of telecommunications initiated data fulfillment services in which “*#” trigger code is inputted into an originating telecommunications device and triggers the treatment of the input sequence as a multi-function code service request rather than a dialed directory number (abstract). In other words, customer enters input string (22 figure 1) into telecommunication device (24 figure 1). The input string is received at a trigger-enabled telecommunications switch

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(see SSP 26 figure 1) wherein the SSP is configured to detect and recognize the "*" (star, pound) multi-function code as a trigger event. In response to detecting the star, pound trigger event, the SSP holds the call and queries SCP translation table (see 72 figure 7) for instruction set to implement. Rosenhaft discloses instruction set "*"1" used for mobile vending instruction set (see paragraph 0037). Next, SSP delivers the data message to data fulfillment platform (30 figure 1) wherein the fulfillment platform receives the data message (28 figure 1) and identifies the product code to complete the remote vending purchase (see paragraphs 0037 to 0047, 0059 to 0065).

In other words, SSP sends initial request for data to SCP (see TRANSLATION TABLE 72 and 74 figure 7) and the SCP sends a response to the initial request prior to the creation of the data message (see 28 figure 1) sent to the DATA FULFILLMENT PLATFORM (30 figure 1).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the SCP as taught by Adams to include "*" (star, pound) trigger code as taught by Rosenhaft for the benefit of allowing customer to enter "*" at telephone device to make remote vending purchase from vending machine.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al (US 6,631,186 hereinafter Adams) in view of Dikmen (6,549,613).

Regarding claim 9. Adams fails to teach wherein the external system (i.e. SCP 23 figure 1) is the Law Enforcement Management System (LEMS).

Dikmen teaches method and apparatus for network based CALEA (Communications Assistance for Law Enforcements) solution (columns 1-2). Dikmen discloses using a Delivery Function (see DF 20 figure 2) contains SCP and service node (SN) wherein the SCP and SN work together in receiving the incoming/outgoing calls to/from the target subscriber to be intercepted and delivering the call identifying information and call content to the law enforcement agency as defined in the J-STD-025 (column 3). In other words, SCP interrupts the call processing in the end-office switch 12 figure 2 and causes the end-office switch to send the call to the delivery function instead of delivering the call to its real destination (col. 3 lines 23-34).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the SCP as taught by Adams to include a delivery function as taught by Dikmen for the benefit of forwarding telephone call to the law enforcement site (30 figure 2) as taught by Dikmen.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600